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SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 10, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Patrick, absent and formally excused by the Chair.

Prayer was offered by Senator Stennett.

The Pledge of Allegiance was led by Nina Harelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2016

The JUDICIARY AND RULES Committee reports that [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) have been correctly printed.

LODGE, Chairman

[S 1276](#) and [S 1277](#) were referred to the Judiciary and Rules Committee.

[S 1278](#) was referred to the Resources and Environment Committee.

[S 1279](#) and [S 1280](#) were referred to the Education Committee.

[S 1281](#) was referred to the Health and Welfare Committee.

February 9, 2016

The TRANSPORTATION Committee reports out [S 1246](#), [S 1261](#), and [S 1263](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1246](#), [S 1261](#), and [S 1263](#) were filed for second reading.

February 9, 2016

The FINANCE Committee reports out [S 1270](#) and [S 1271](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1270](#) and [S 1271](#) were filed for second reading.

February 9, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 352](#), [H 359](#), [H 360](#), and [H 376](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 352](#), [H 359](#), [H 360](#), and [H 376](#) were filed for second reading.

February 9, 2016

The EDUCATION Committee reports out [S 1232](#), [S 1249](#), and [S 1248](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1232](#), [S 1249](#), and [S 1248](#) were filed for second reading.

February 10, 2016

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Linda Clark to the State Board of Education, term to expire June 30, 2020.

MORTIMER, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 10, 2016

The STATE AFFAIRS Committee reports out [H 362](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 362](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 9, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffrey A. Betts of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, and expiring January 1, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 10, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1199](#) and [S 1200](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2016

Dear Mr. President:

I transmit herewith [H 431](#), [H 374](#), [H 375](#), and [H 405](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 431](#), [H 374](#), [H 375](#), and [H 405](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Charles L. Winder retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [SCR 136](#) and [SCR 137](#) retained their place on the calendar for Tuesday, February 16, 2016.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of M. Dean Buffington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lakey, the Gubernatorial reappointment of M. Dean Buffington as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the

Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Neil Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Stennett, the Gubernatorial reappointment of Neil Anderson as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1282

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-428, IDAHO CODE, TO PROVIDE THAT A MOTOR VEHICLE THAT WAS ORIGINALLY MANUFACTURED WITHOUT A BRACKET, DEVICE OR OTHER MEANS TO DISPLAY AND SECURE A FRONT LICENSE PLATE SHALL BE ALLOWED TO DISPLAY ONE PLATE ATTACHED TO THE REAR OF THE VEHICLE.

S 1283

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 49-1234, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ONLINE INSURANCE VERIFICATION SYSTEM, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT SHALL PROMULGATE RULES TO PROVIDE INSURERS AN ALTERNATIVE METHOD FOR VERIFYING MOTOR VEHICLE INSURANCE POLICY DATA AND TO REVISE PROVISIONS REGARDING THE METHODS OF VERIFICATION; AND AMENDING CHAPTER 13, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1338, IDAHO CODE, TO PROVIDE THAT FAILURE TO COMPLY WITH SPECIFIED LAW REGARDING UNINSURED VEHICLE TRACKING SHALL CONSTITUTE A WRONGFUL PRACTICE AND SUBJECT AN INSURER TO CERTAIN PENALTIES.

S 1284

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO PLATS AND SURVEYS; AMENDING SECTION 50-1304, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL PROMULGATE CERTAIN RULES; AND AMENDING SECTION 55-1906, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL

PROMULGATE CERTAIN RULES AND TO PROVIDE THAT RECORDS OF SURVEY SHALL HAVE CERTAIN MINIMUM REQUIREMENTS.

S 1285
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1214, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATIONS THAT ARE OFFERED, TO REVISE PROVISIONS REGARDING A CANDIDATE WHO FAILS AN EXAMINATION AND TO PROVIDE THAT THE BOARD MAY ISSUE A CONTINGENT LICENSE TO ENGINEERING FACULTY UNDER CERTAIN CONDITIONS.

S 1286
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1202, IDAHO CODE, TO DEFINE A TERM.

S 1287
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1222, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE THAT CERTAIN ACTIONS SHALL BE A VIOLATION AND TO PROVIDE A CIVIL PENALTY.

S 1288
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347B, IDAHO CODE, TO REMOVE LANGUAGE FOR TRANSFERRING TRAINING FUNDS TO THE EMPLOYMENT SECURITY RESERVE FUND, TO REVISE LANGUAGE DESCRIBING APPROPRIATE USES FOR THE TRAINING FUND, TO EXTEND THE SUNSET PROVISION, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION.

S 1289
BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EDUCATIONAL SUPPORT PROGRAM CALCULATION, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 229, LAWS OF 2015, TO REVISE PROVISIONS REGARDING THE EDUCATIONAL SUPPORT PROGRAM CALCULATION, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

S 1290
BY EDUCATION COMMITTEE

AN ACT

RELATING TO TEACHERS; AMENDING SECTION 33-1212A, IDAHO CODE, TO REVISE A CATCHLINE, TO REVISE PROVISIONS REGARDING COLLEGE AND CAREER ADVISORS AND TO REVISE REPORTING REQUIREMENTS.

S 1291
BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4305, IDAHO CODE, TO PROVIDE FOR THE ADULT DEGREE COMPLETION SCHOLARSHIP AND RELATED PROVISIONS AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES.

S 1292
BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE TUITION LOCK PLAN; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3717D, IDAHO CODE, TO PROVIDE THE TUITION LOCK PLAN FOR UNDERGRADUATE STUDENTS AND RELATED PROVISIONS AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES; AMENDING SECTION 33-3726, IDAHO CODE, TO ESTABLISH THE TUITION LOCK STABILIZATION ACCOUNT IN THE HIGHER EDUCATION STABILIZATION FUND; AND PROVIDING A SUNSET DATE.

S 1293
BY EDUCATION COMMITTEE

AN ACT

RELATING TO PARENTAL RIGHTS IN EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PARENTAL RIGHTS IN EDUCATION AND TO PROVIDE FOR AN ANNUAL NOTICE OF PARENTAL RIGHTS.

S 1294
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE PRACTICE OF PHARMACY; AMENDING SECTION 54-1704, IDAHO CODE, TO PROVIDE THAT PHARMACISTS MAY PRESCRIBE IMMUNIZATIONS FOR PERSONS WHO ARE SIX YEARS OF AGE OR OLDER.

S 1295
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-209h, IDAHO CODE, TO REVISE PROVISIONS REGARDING CIVIL MONETARY PENALTIES FOR PROVIDERS AND TO MAKE TECHNICAL CORRECTIONS.

S 1296**BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO BACKGROUND CHECKS; AMENDING SECTION 56-1004A, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE REGARDING A FEDERAL PILOT PROJECT.

S 1297**BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO ELECTIONS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-409, IDAHO CODE, TO PROVIDE FOR ELECTRONIC REGISTRATION; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT UPON REQUEST OF THE OFFICE OF THE SECRETARY OF STATE; AND DECLARING AN EMERGENCY.

S 1298**BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO THE RACING COMMISSION; AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2507A, IDAHO CODE, TO DIRECT THE COMMISSION TO MAKE CERTAIN PAYMENT TO THE IDAHO HORSE COUNCIL UNDER SPECIFIED CONDITIONS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1299**BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6631, IDAHO CODE, TO REQUIRE REPORTING IN ALL STATE AND LOCAL ELECTIONS AND BALLOT MEASURES IN THIS STATE AND TO PROVIDE THAT REPORTS SHALL BE MADE TO CERTAIN PERSONS; AMENDING SECTION 33-503, IDAHO CODE, TO REMOVE A CERTAIN EXCEPTION REGARDING ELECTIONS OF SCHOOL DISTRICT TRUSTEES; AND DECLARING AN EMERGENCY.

[S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), and [S 1299](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 431](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 374](#) and [H 375](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 405](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1259](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Thursday, February 11, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary